PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Charles E. Boyer	Examiner:	Caputo, Lisa M.
Serial No.	10/713,247	Group Art Unit:	2876
Filed:	November 13, 2003		
For:	HIGH-SECURITY CARD AND SYSTEM	Docket No.	VER0015/US (VER-01)

Mail Stop Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY BRIEF

Dear Sir or Madam:

This Reply Brief is submitted in response to the Examiner's Answer mailed June 26, 2008, in the above-identified patent application, which is under appeal.

It is further submitted that this Reply Brief is timely filed within the two-month period set out in M.P.E.P § 1208 from the date of the Examiner's Answer. No fee is believed to be due at this time. If any fees are required, please charge them to Deposit Account No. 50-1775 and notify us of the same.

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Section Headings correspond to those set out in Appellant's Appeal Brief

I. Status of Claims

The Examiner's Answer includes a statement that the status of the claims as contained within Applicants' Appeal Brief is correct.

The rejection of claims 1, 4-8 and 16 is appealed.

II.   Grounds of Rejection to be Reviewed on Appeal

The Examiner's Answer includes a statement that the grounds of rejection to be reviewed on appeal as contained within Applicants' Appeal Brief is correct.

The grounds were provided as set forth below.

A.   Whether claims 1, 4, 8, and 16 are patentable under 35 U.S.C. 103(a) over the Wankmueller and Nishikado et al. references.

B.   Whether claims 5-7 are patentable under 35 U.S.C. 103(a) over the Wankmueller, Nishikado et al., and Tahan references.

III. Argument

In response to the Examiner's Answer, Applicants set forth points of clarification below.

In the Examiner's Answer, the Examiner relies on the Wankmueller reference as a primary reference and acknowledges that its use of a bar code is to represent, in part, account information. Applicant's claims 1, 8 and 16 each require the barcode representation of entity or user identification information. The Wankmueller reference discloses only the presentation of payment account information (see column 3, lines 2-11 and 34-43), such as a "PAN" number or "BIN" number, both of which are relevant payment account information. The Wankmueller reference is entirely deficient with respect to any provision of entity or user identification information as is required in independent claims 1, 8 and 16 along with account information as also required to be provided within the same two-dimensional barcode of the presently claimed invention.
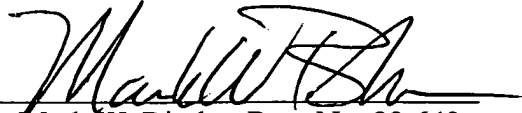
Another important aspect of the Wankmueller reference is the absolute requirement that payment account information be provided as split between two different forms of machine readable information. That is, any attempt to provide all necessary account information or any user identification information (if such were in any way suggested by the Wankmueller reference or another reference) within a single barcode would go directly against the explicit teaching of the Wankmueller reference. As such, one could not possibly come up with a two-dimensional barcode as presently claimed including account information and user identification information within a barcode, as such is directly contrary to the split technology requirement of cards of the Wankmueller reference. Regardless of any teaching of the Nishikado reference, which we believe cannot cure this and other deficiencies of the Wankmueller reference (as set out in Appellant's Brief), card of the Wankmueller reference cannot be modified to include all features of the presently claimed invention as set out in independent claims 1, 8 and 16, as any attempted modification to do so would be directly contrary to the complete purpose of the Wankmueller reference.

IV.   Conclusion

Accordingly, it is respectfully requested that the rejections of claims 1, 4-8 and 16 be reversed.

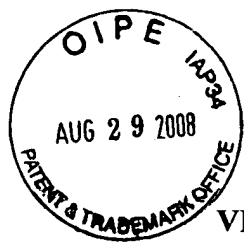Respectfully Submitted,

Dated: _8 - 26 - 08_   By:_____

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VI. Claims Appendix – Pending Claims

1.   A high-security transaction card including account representation information for an entity, comprising:

a card body having a perimeter and at least one face; and

at least one two-dimensional binary information symbol comprising a symbolic representation of coded data including the account representation information for the entity and entity identification information and, said at least one symbol being located within said perimeter of said card body on said at least one face,

wherein the account representation information for the entity that is coded in the two-dimensional binary information symbol is not otherwise represented in human readable form on the card body so that account identification can only be made by decoding the two-dimensional binary information symbol and the identity identification information useable for comparing with a characteristic of the entity associated with the card.

4.   The high-security card of claim 16, comprising disposable materials for use as an economical, disposable identification card.

5.   The high-security card of claim 1, including library patron account information encoded in the two-dimensional binary information symbol for use as a library patron identification and circulation control card.

6.   The high-security card of claim 16, including building access user identification information encoded in the two-dimensional binary information symbol for use as a building access card.

7.   The high-security card of claim 1, including patient account information encoded in the two-dimensional binary information symbol for use as a medical information and patient history card.

8.   A high-security card system, comprising:

   at least one high-security card including account representation information and
      user identification information for an entity, said high-security card
      including (i) a card body having a perimeter and at least one face, and (ii)
      at least one two-dimensional binary information symbol comprising a
      symbolic representation of coded data including account representation
      information and user identification information for the entity and, said at
      least one symbol being located within said perimeter of said card body on
      said at least one face, wherein the account information for the entity that is
      coded in the two-dimensional binary information symbol is not otherwise
      represented in human readable form on the card body so that the account
      information can only be derived by decoding the two-dimensional symbol
      and the user identification information derived from decoding the two-
      dimensional binary information symbol is used to compare with a
      characteristic of the entity provided by the entity;

   at least one card reader, said reader being responsive in use to said at least one
      symbol of said at least one high-security card and generating a signal
      indicative of said symbol; and

   at least one decoder, said decoder being capable of (i) receiving said signal from
      said at least one card reader, and (ii) converting said signal into a human-
      readable authentication display.

16.   A high-security identification card including identity information for a particular
entity, comprising:

   a card body having a perimeter and at least one face; and

   at least one two-dimensional binary information symbol comprising a symbolic
representation of coded data including the identity information for the particular entity
and, said at least one symbol being located within said perimeter of said card body on
said at least one face,

wherein the identity information for the particular entity that is coded in the two-dimensional binary information symbol is not otherwise represented in human discernable form on the card body so that identification of the particular entity can only be made by decoding the two-dimensional binary information symbol and comparing the identity information with that of the entity presenting the card.